



**US Army Corps  
of Engineers®**  
New England District

# PUBLIC NOTICE

696 Virginia Road  
Concord, MA 01742-2751

**Date:** May 12, 2009  
**Comment Period Ends:** June 15, 2009  
**File Number:** NAE-2005-425  
**In Reply Refer To:** Ms. Diane M. Ray  
**Or by e-mail:** [diane.m.ray@usace.army.mil](mailto:diane.m.ray@usace.army.mil)

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The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below.

**APPLICANT:** Gwenmor Marina, Inc., 12 Roseleah Drive, Mystic, Connecticut 06355

**ACTIVITY:** Install and maintain new docks - A detailed description and plans of the activity are attached.

**WATERWAY AND LOCATION OF THE PROPOSED WORK:**

This work is proposed in the Mystic River at 12 Roseleah Drive, Mystic, Connecticut. The proposed location on the USGS MYSTIC quadrangle sheet is at Lat. 41.20.56N, Long. 71.57.57W.

**AUTHORITY:** Permits are required pursuant to Section 10 of the Rivers and Harbors Act of 1899

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the

Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

This project will impact approximately 22,400 square feet. of Essential Fish Habitat (EFH) for the 10 species listed on the attached table and their life stages. This habitat consists of sandy silt. Loss of this habitat may adversely affect the species listed on the attached table. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

## SECTION 106 COORDINATION

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the proposed project site during the construction and subsequent operation/use period sought by the applicant. We have undertaken a Biological Assessment (BA) of the potential for interactions and adverse impacts to those listed species. It is our determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with this determination.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved **Coastal Zone Management Programs**. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

- ☒ (X) Permit, License or Assent from State.
- ☐ ( ) Permit from Local Wetland Agency or Conservation Commission.
- ☐ ( ) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

**CENAE-R**  
**FILE NO. NAE-2005-425**

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Ms. Diane M. Ray at (978) 318-8831, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**



**Robert J. DeSista**  
**Chief, Permits and Enforcement Branch**  
**Regulatory Division**

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at [bettina.m.chaisson@usace.army.mil](mailto:bettina.m.chaisson@usace.army.mil). You may also check here ( ) and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

**PROPOSED WORK AND PURPOSE:** Construct and maintain an 8' wide x 15' long landing with an approximately 4' x 20' ramp leading to an approximately 8' wide x 305 linear foot long pile-supported float with eight 4' x 20' pile-supported finger floats and twelve 4' x 24' pile-supported finger floats with associated tie-off piles. The extent of encroachment beyond mean high water will be approximately 325'. The proposed structures will provide additional docking at an existing recreational boating facility. The existing 104-slip capacity will be increased by 40 slips to 144 slips.

The work is described on the enclosed plans entitled "New Docks, Mystic-Town of Stonington, New London County, Connecticut, Mystic River" in five sheets, dated, "May 27, 2008" revised through "4-24-09".

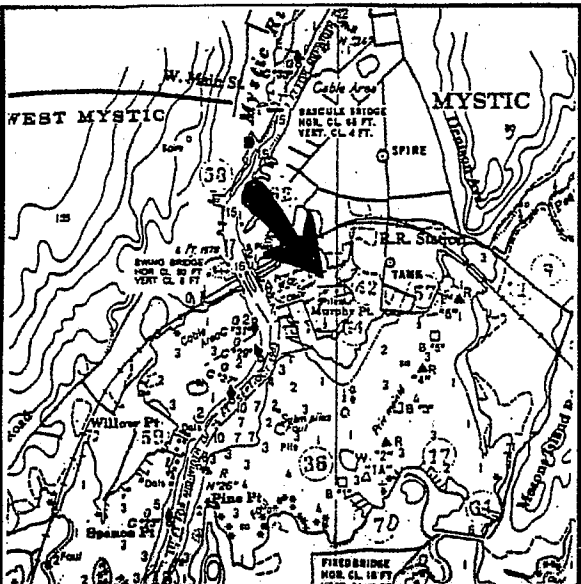
### Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

Boundary	North	East	South	West
Coordinate	41° 20.0' N	71° 50.0' W	41° 10.0' N	72° 00.0' W

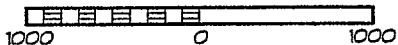
**Square Description (i.e. habitat, landmarks, coastline markers):** The waters within the square within the Connecticut River estuary affecting the following: from just east of Watch Hill R. I., to Noank CT., including waters affecting Little Narragansett Bay, Fishers Island Sound, the eastern 2/3 of Fishers I., the southern half of Mason I., Pawcatuck Point in R. I., Ram I., Napatree Point, and the tip of Wamphassuck Point. These waters also affect the following: the southern part of Stonington, CT., Wicopesset PT., East Pt. on Fishers I., East Harbor, eastern West Harbor, south of Mystic and West Mystic, CT., along with the Mystic River and Pawcatuck River Inlets. Also affected are: Cerberus Shoal, Watch Hill Rock, Catumb Rock, Dodges I., Libby I.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic cod ( <i>Gadus morhua</i> )				X
Atlantic sea herring ( <i>Clupea harengus</i> )				X
bluefish ( <i>Pomatomus saltatrix</i> )			X	X
king mackerel ( <i>Scomberomorus cavalla</i> )	X	X	X	X
Spanish mackerel ( <i>Scomberomorus maculatus</i> )	X	X	X	X
cobia ( <i>Rachycentron canadum</i> )	X	X	X	X
sand tiger shark ( <i>Odontaspis taurus</i> )		X		
blue shark ( <i>Prionace glauca</i> )		X		X
dusky shark ( <i>Charcharinus obscurus</i> )			X	
bluefin tuna ( <i>Thunnus thynnus</i> )				X



### LOCATION MAP

REFERENCE  
CHART: 12372  
GRAPHIC SCALE  
IN YARDS



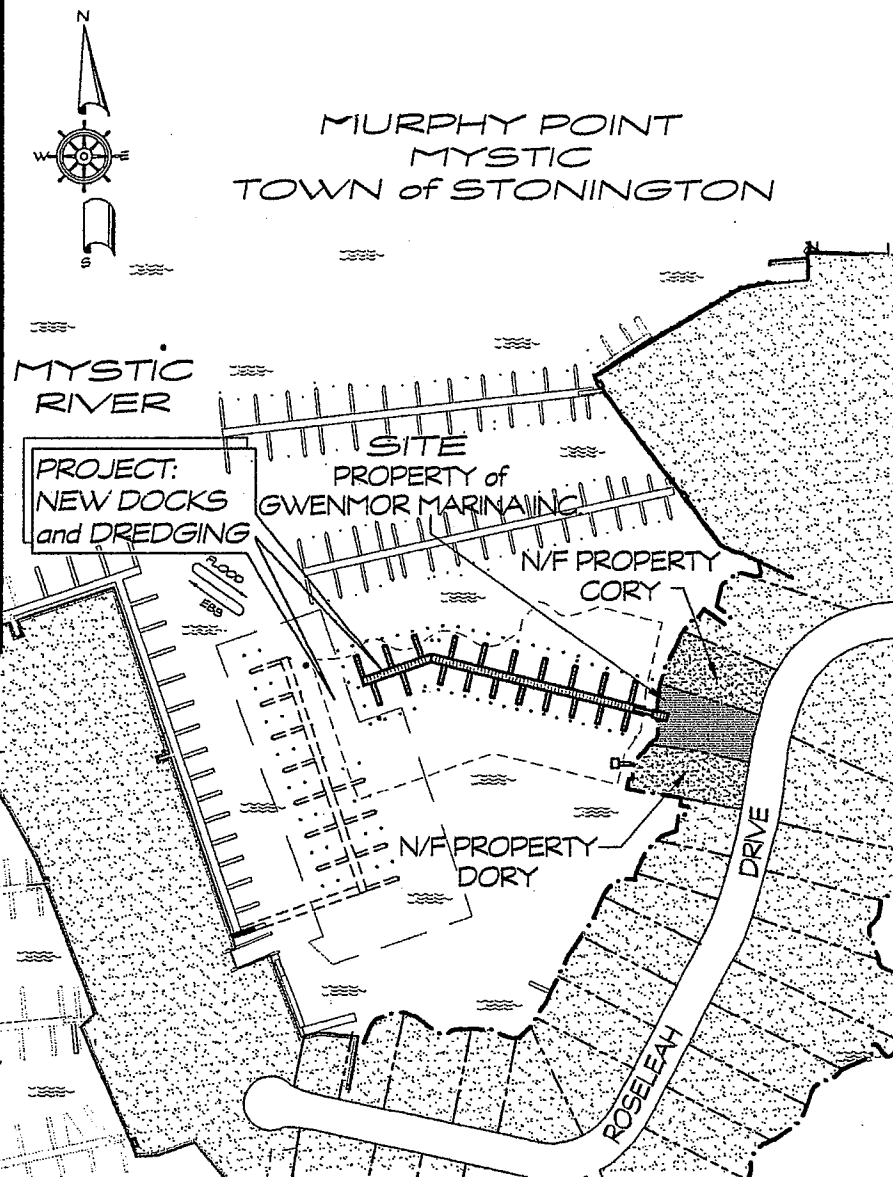
### NOTES:

1. ELEVATION DATUM IS MEAN LOW WATER.
2. TIDE DATA IS TAKEN FROM 2008 NOAA TIDE TABLES REFERENCE: NOANK, MYSTIC RIVER.
3. PROJECT DESCRIPTION:  
INSTALL 305±LF 8-FT WIDE MAIN FLOAT, EIGHT 4-FT X 20-FT FINGERS, TWELVE 4-FT X 24-FT FINGERS WITH ASSOCIATED FLOAT RESTRAINT, TIE-OFF/FENDER PILES AND RAMP. CONSTRUCT AN 8-FT WIDE, 75±SF PILE SUPPORTED RAMP LANDING, WATERWARD OF THE HIGH TIDE LINE.
4. PROJECT PURPOSE:  
THIS WILL BE AN ADDITIONAL DOCKING FACILITY FOR AN EXISTING RECREATIONAL BOATING MARINA.
5. THESE APPLICATION DRAWINGS REPRESENT A COMPILATION OF SURVEYS FOR PERMIT PURPOSES. THEY ARE NOT CONSTRUCTION CONTRACT DOCUMENTS.

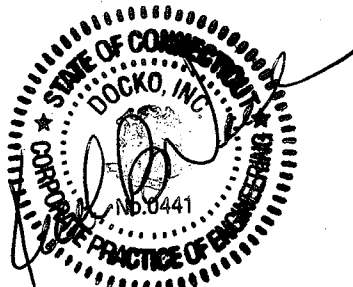
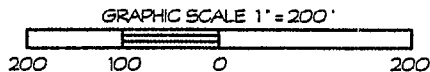
### 6. ADJOINING PROPERTY OWNERS:

NORTH:  
FRANK CORY JR  
56 HIGH RIDGE RD  
BROOKFIELD, CT 06804

SOUTH  
LOUISE F. DORY  
35 FOREST HILLS RD  
COVENTRY, CT 06238



### OVERALL PLAN



REVISI 4-24-09 ACOE  
PROJECT & DESCRIPTION

PROJECT: NEW DOCKS

LOCATION: MYSTIC - TOWN of STONINGTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: MYSTIC RIVER

DATE: MAY 27, 2008

APPLICANT: GWENMOR MARINA INC.

AGENT: SHEET 1 OF 5

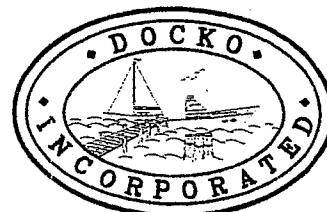
**DOCKO, INC.**

Keith B. Neilson, PE

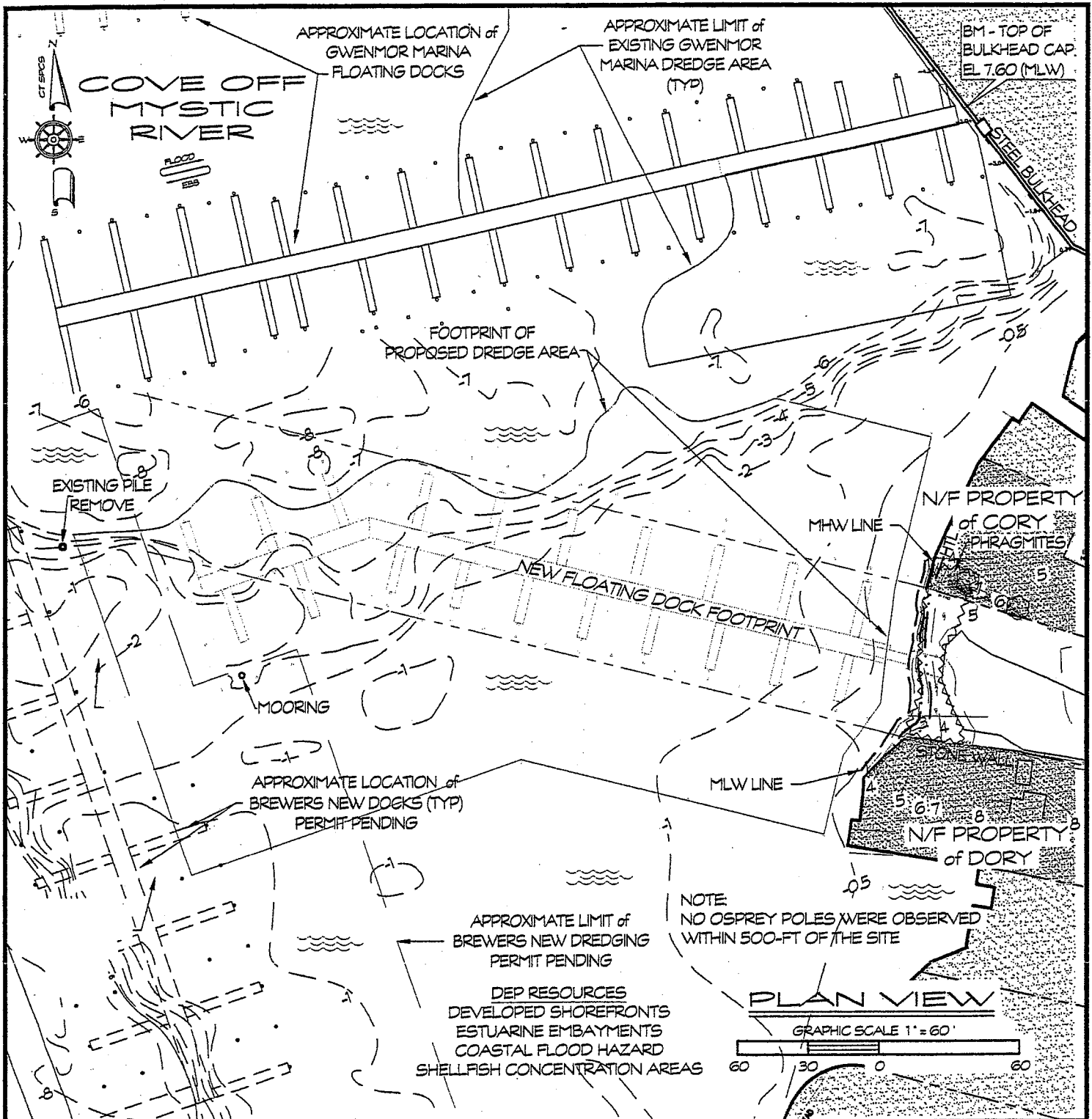
Mystic, CT 06355

860 572 8939 FAX 860 572 7569

EMAIL: docko@snet.net



DWG 07-09-1904



SURVEYS by RESOURCE MANAGEMENT & MAPPING,  
J. DEMPSEY & ASSOCIATES and HYDRO DATA INC.

REVISED 4-24-09 ACOE  
PROJECT

PROJECT: **NEW DOCKS**

LOCATION: MYSTIC - TOWN of STONINGTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: MYSTIC RIVER

DATE: MAY 27, 2008

APPLICANT: GWENMOR MARINA INC.

AGENT: SHEET 2 OF 5

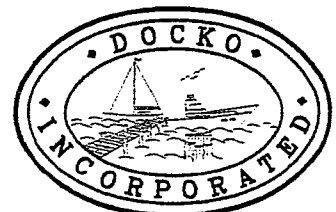
**DOCKO, INC.**

Keith B. Neilson, PE

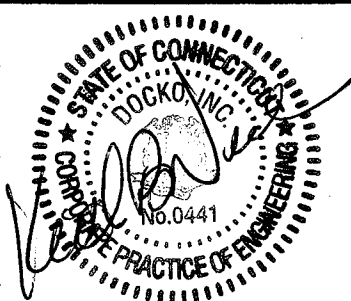
Mystic, CT 06355

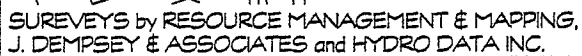
860 572 8939 FAX 860 572 7569

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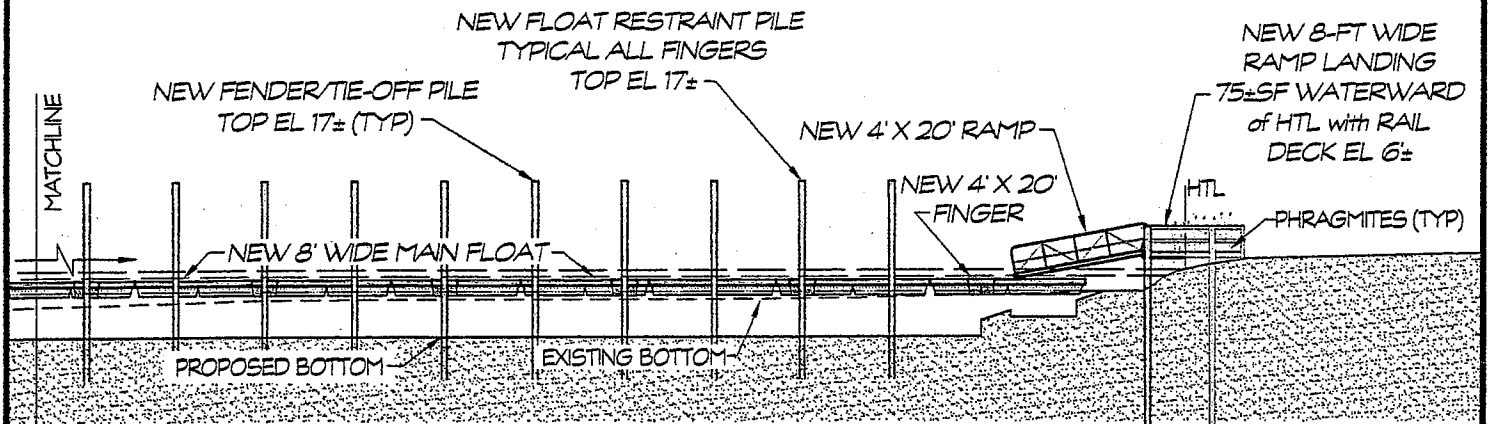
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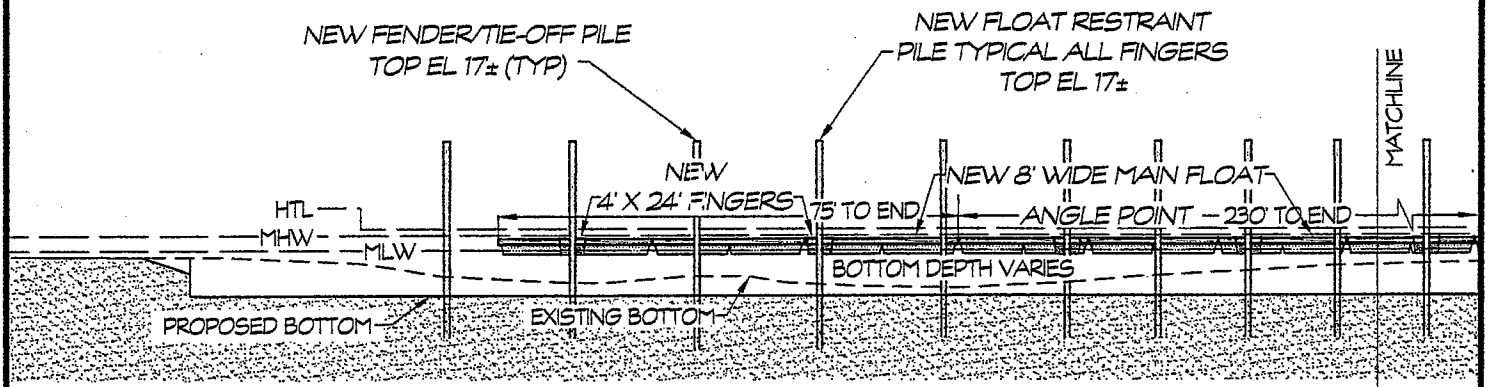


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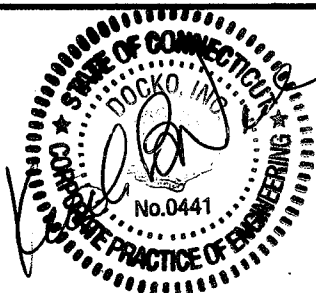




### SECTION A-A



### SECTION A-A



REVISED 4-24-09 ACOE PROJECT

PROJECT: **NEW DOCKS**

LOCATION: MYSTIC - TOWN of STONINGTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: MYSTIC RIVER

DATE: MAY 27, 2008

APPLICANT: GWENMOR MARINA INC.

AGENT: SHEET 4 OF 5

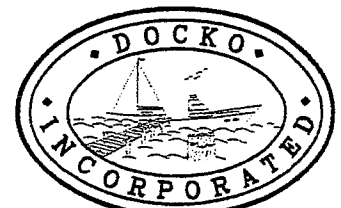
**DOCKO, INC.**

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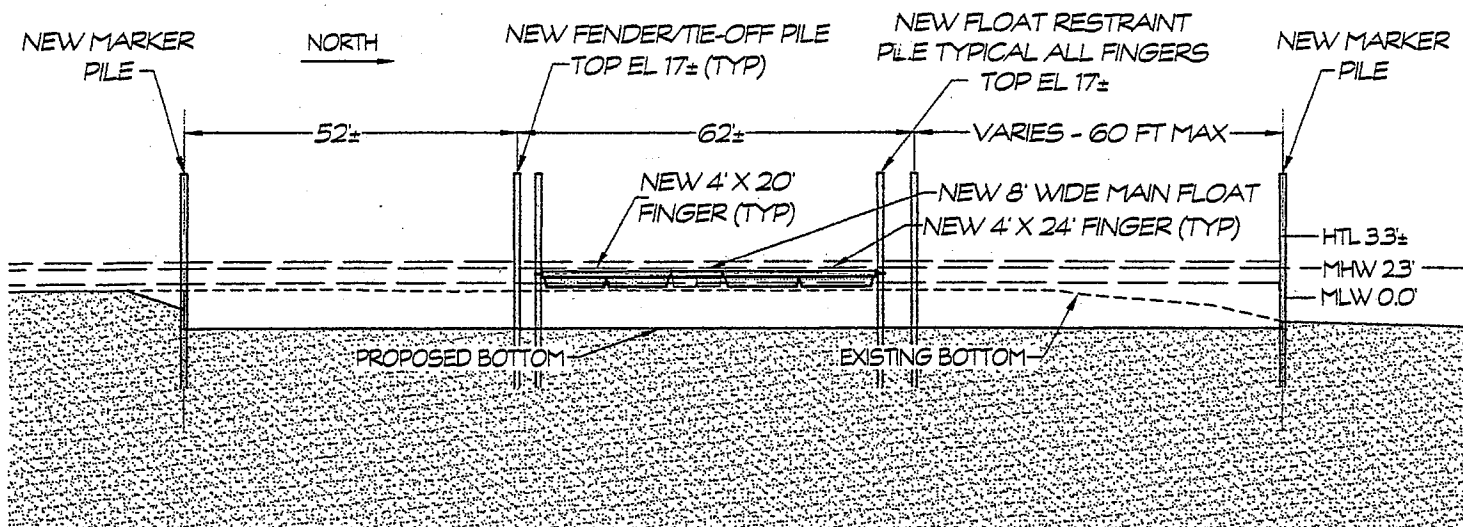
Mystic, CT 06355

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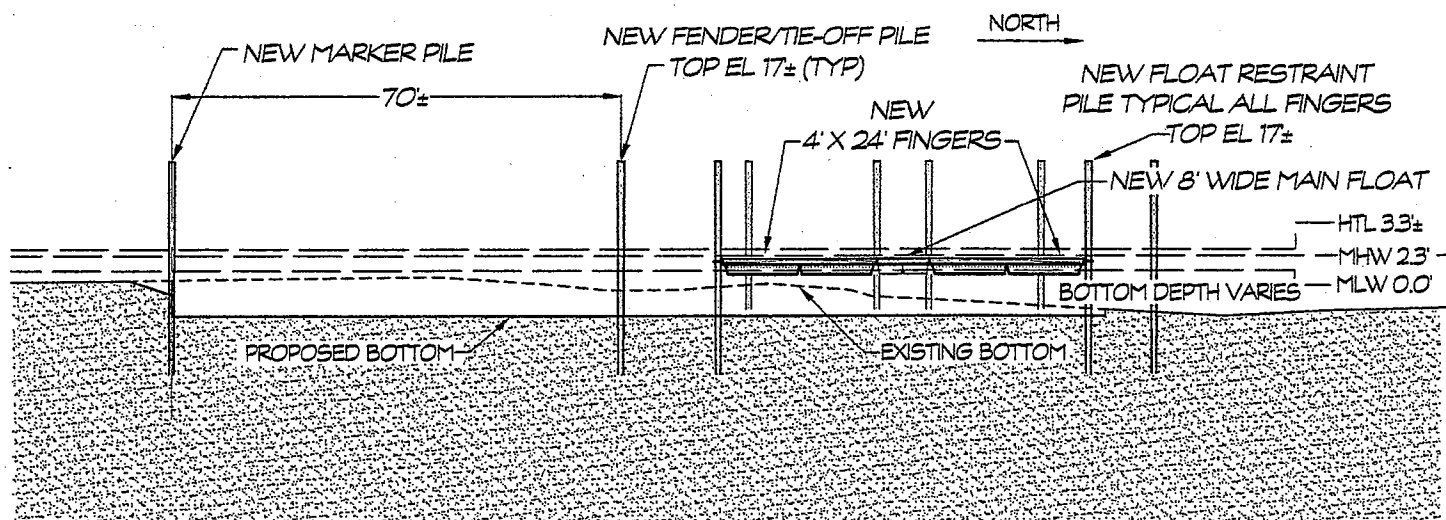
EMAIL: docko@snet.net



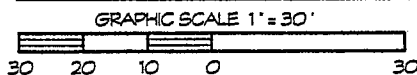
DWG 07-09-1904



### SECTION B-B



### SECTION C-C



PROJECT: NEW DOCKS

LOCATION: MYSTIC - TOWN of STONINGTON  
NEW LONDON COUNTY, CONNECTICUT

WATERWAY: MYSTIC RIVER

DATE: MAY 27, 2008

APPLICANT: GWENMOR MARINA INC.

AGENT: SHEET 5 OF 5

**DOCKO, INC.**

Keith B. Neilson, PE

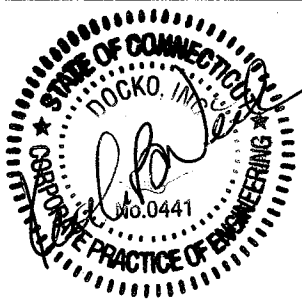
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DWG 07-09-1904



REVISED 4-24-09 ACOE  
PROJECT